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PATENT
Customer No. 22,852
Attorney Docket No. 05638-0017-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Bayerköhler et al.) Group Art Unit: Not yet assigned
Application No.: 10/070,661) Examiner: Not yet assigned
Filed: March 8, 2002)
For: METHOD FOR PRODUCING A)
TABLET MADE OF)
ISOMALTULOSE, ISOMALT OR)
ISOMALT VARIANTS)

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants submit herewith a copy of the International Search Report for PCT/EP00/08832, of which this application is the U.S. national stage application. The Search Report identifies WO 98/37769 and U.S. Patent No. 5,709,895. The Annex to the Search Report indicates that U.S. Patent No. 5,958,472 is a family member of WO 98/37769. Copies of WO 98/37769, U.S. Patent No. 5,709,895, and U.S. Patent No. 5,958,472 are submitted herewith and listed on an attached Form PTO-1449.

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Also submitted herewith is the International Preliminary Examination Report from PCT/EP00/08832. The Examination Report identifies U.S. Patent No. 5,709,895, WO 98/37769, and EP-A-0 625 578. A copy of EP-A-0 625 578, which is written in German, is submitted herewith, along with its English language equivalent, U.S. Patent No. 5,578,339, both of which are listed on the Form PTO-1449. A translation of the Preliminary Examination Report is also submitted herewith, for the convenience of the Examiner.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

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Bayerköhler et al.
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Respectfully submitted,

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Dated: July 24, 2002

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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	5638.0017	Appln. No.	10/070,661
Applicant	Theodor BAYERKÖHLER, et al.		
Filing Date	March 8, 2002	Group:	Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,578,339	Nov. 26, 1996	Kunz et al.	426	658	
	5,709,895	Jan. 20, 1998	Tanaka et al.	426	96	
	5,958,472	Sep. 28, 1999	Robinson et al.	426	3	

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
0 625 578 A1	Dec. 27, 1993	EPO	C12P	19/24	No
WO 98/37769	Sept. 3, 1998	PCT	A236	3/00	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce